

# Federal Advisory Committee (FAC) Membership Balance Plan

Please read the Federal Advisory Committee Membership Balance Plan Guidance prior to completing this form

## (1) FEDERAL ADVISORY COMMITTEE NAME

*State the legal name of the FAC*

National Space-Based Positioning, Navigation, and Timing Advisory Board ("PNT Advisory Board")

## (2) AUTHORITY

*Identify the authority for establishing the FAC*

National Security Presidential Directive-39 (NSPD-39). NSPD-39, announced on December 8, 2004, authorized a new national U.S. Space-Based Positioning, Navigation and Timing Policy ("U.S. PNT Policy"), and also authorized the establishment of the PNT Advisory Board, a Federal advisory committee subject to the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2. As a result, the PNT Advisory Board was chartered by NASA in 2007 for a two-year period, and was renewed in 2009 for second two-year period. The PNT EXCOM has requested that NASA continue its sponsorship of the PNT Advisory Board for a third two-year period, and NASA has agreed to do so.

The PNT Advisory Board is also being established in accordance with the provisions of FACA, as amended, 5 U.S.C. App. 2.

## (3) MISSION/FUNCTION

*Describe the mission/function of the FAC*

The PNT Advisory Board will provide advice, as directed by the PNT EXCOM and through NASA, on U.S. PNT Policy, planning, program management, and funding profiles in relation to the current state of national and international space-based PNT services. This advice will consist of assessments and recommendations to facilitate the accomplishment of the goals and objectives of the U.S. PNT Policy on behalf of the PNT EXCOM.

The PNT Advisory Board will evaluate national and international needs for changes in space-based PNT capabilities, assess possible trade-offs among options, and provide independent advice and recommendations to the PNT EXCOM on requirements and program needs. These evaluations will be considered by the PNT EXCOM in recommending a national PNT strategy and in developing annual updates to the requisite U.S. PNT Policy 5-Year Plan.

## (4) POINTS OF VIEW

*Based on understanding the purpose of the FAC,*

- (a) describe the process that will be used to ensure the committee is balanced, and identify the categories (e.g. individual expertise or represented interests) from which candidates will be considered;*
- (b) consider identifying an anticipated relative distribution of candidates across the categories; and*
- (c) explain how a determination was made to appoint any individuals as Special Government Employees or Representative members*

The PNT Advisory Board will consist of not more than 25 members nominated by the nine Federal agencies of the PNT EXCOM with major equities in the U.S. GPS program. As noted above, the nine PNT EXCOM stakeholder agencies are the Department of Defense, Department of Transportation, Department of State, Department of Commerce, Department of Homeland Security, Department of Interior, Department of Agriculture, the Joint Chiefs of Staff, and NASA. Each agency nominates potential members based on expertise, points of view, and sector to be represented. Balance is accomplished by ensuring the equities and responsibilities these nine Federal agencies are covered in the final selection process. For example, there will be Special

receiver manufacturers, transportation, timing, cellular networks, etc. The goal is to ensure each sector is appropriately represented since the PNT services provided by GPS have become such a critical utility to a such a wide array of user groups as reflected in the diverse composition of the nine Federal agencies in the PNT EXCOM itself.

In addition, the State Department will nominate Representative members from international sectors such as the European Union and Asia/Pacific region to ensure that other emerging PNT systems can be compared to PNT systems in the U.S. This will ensure that the combination of SGE and Representative members can cover the breadth of scope of domestic industry sectors, academia, space-based PNT user application areas, and international partnerships to be evaluated. Nominees will be identified as SGEs or Representative members at the outset of the process, and all SGE nominees will submit the required financial disclosure documentation (OGE Form-450) for NASA review and clearance prior to formal appointment. All SGE's and Representatives will be formally appointed to their PNT Advisory Board member positions by letter signed by the NASA Administrator.

#### **(5) OTHER BALANCE FACTORS**

*List any other factors your agency identifies as important in achieving a balanced FAC*

A key factor is that the PNT Advisory Board is a Presidential advisory committee, with unique interagency and international aspects as well. As such, all nine PNT EXCOM Federal agencies listed above participate in the candidate identification, nomination, and selection process.

#### **(6) CANDIDATE IDENTIFICATION PROCESS**

*Summarize the process intended to be used to identify candidates for the FAC, key resources expected to be tapped to identify candidates and the key persons (by position, not name) who will evaluate FAC balance. The summary should:*

- (a) describe the process*
- (b) identify the agency key staff involved (by position, not name)*
- (c) briefly describe how FAC vacancies, if any, will be handled by the agency; and*
- (d) state the membership term limit of FAC members, if applicable*

The PNT Advisory Board member selection process begins with a formal call for nominations to all nine PNT EXCOM Federal agencies by the Director of the PNT National Coordination Office (NCO, the PNT interagency secretariat) at the Department of Commerce. These nominees are then vetted and ranked according to expertise, merit, and sector by representatives to reflect an equitable balance among agencies. A prioritized list of candidates is then presented to the interagency PNT Executive Steering Group (ESG, Assistant Secretary-level) that supports the PNT EXCOM (Deputy Secretary-level). Upon consensus on candidates at the PNT ESG-level, the final list is forwarded to the PNT EXCOM Co-Chairs for final approval. Upon approval by the latter, this final list is then sent to the NASA Administrator for formal appointment by letter. This process is intended to ensure that all nine PNT EXCOM Federal agencies reach a consensus on forming the best balanced group of PNT experts in the community to represent the PNT Advisory Board. Then NASA manages all intra-agency steps for the internal concurrence, and final appointment letter process for PNT Advisory Board members in the following review sequence:

Designated Agency Officer (DFO);

Deputy Associate Administrator for Space Communications and Navigation;

Associate Administrator for Space Operations;

Associate Administrator for International and Interagency Relations;

Associate Administrator for Independent Program and Cost Evaluation;

General Counsel;

Associate Administrator;

Chief of Staff;



Deputy Administrator; and  
Administrator.

NASA's Office of International and Interagency Relations and Office of General Counsel are engaged throughout the entire appointment process to ensure that all appropriate and applicable FACA and Ethics compliance with statutes, regulations, and guidelines, financial disclosures, and vetting are completed by the final nominees. The final step in this process is formal appointment of PNT Advisory Board members by individual letters signed by the NASA Administrator.

Since the PNT Advisory Board's recommendations are impacted by dynamic U.S. PNT Policy actions, it is also expected that the balance will not be static, and expertise relevant to the mission/function of the PNT Advisory Board may change over time through vacancies or PNT EXCOM coordinated rotations. Appointments will be for a two-year period unless renewed or terminated earlier. If any vacancies occur during the life of the Panel, the PNT EXCOM has the flexibility to identify specific candidates and authorize NASA to backfill these vacancies via new appointment action(s) and resulting in new formal appointment letters being signed by the NASA Administrator so that an appropriate balance is maintained throughout the period of the PNT Advisory Board Charter. A rotation of up to six members in any one-year period may also be requested by the PNT EXCOM to "rebalance" the PNT Advisory Board with new expertise if deemed necessary to address new taskings.

#### **(7) SUBCOMMITTEE BALANCE**

*Subcommittees subject to FACA\* should either state that the process for determining FAC member balance on subcommittees is the same as the process for the parent FAC, or describe how it is different*

*\*This is relevant to those agencies that require their subcommittees to follow all FACA requirements.*

With approval of the DFO, the Chair and Vice-Chair shall be allowed to organize and form subgroups (committees, subcommittees, and task forces) to carry out specific taskings as deemed necessary by the PNT Advisory Board membership. Such subgroups will include volunteers from the PNT Advisory Board membership with a stated interest and/or subject matter expertise for a particular sector, user group, or application area. The PNT Advisory Board and any potential subgroups could also request input from external consultants on a "as needed" basis based on the evolving tasking requirements from the PNT EXCOM, subject to NASA approval.

#### **(8) OTHER**

*Provide any additional information that supports the balance of the FAC*

The U.S. reserves the right to hold "U.S.-only" meetings of the PNT Advisory Board, as required, in full compliance with The Government in the Sunshine Act and related U.S. statutes and regulations. Information classified for national security reasons may be provided to appropriately cleared members of the PNT Advisory Board to support the mission of the PNT EXCOM.

#### **(9) DATE PREPARED/UPDATED**

*Insert the actual date the Membership Balance Plan was initially prepared, along with the date(s) the Plan is updated*

March 29, 2011